

COUNCIL MEETING

March 22, 1993

The Council of the City of Oregon met Monday, March 22, 1993, 5:30 P.M., Council Chambers.

Present: Mayor James Barnes
Commissioner Robert Aurand
Commissioner Gerald Medlar
Commissioner John Priller
Commissioner Frank Svoboda

Roll Call

Council Absent: None

City Attorney Dave Smith
Chief of Police Thomas Miller
City Clerk Julianne Crowley

Mayor Barnes opened the meeting with the Pledge of Allegiance.

Pledge of
Allegiance

Commissioner Medlar moved that the minutes of the March 8, 1993 meeting be approved as recorded.
Seconded by Frank Svoboda.

Min. 3/8/93
Meeting

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

Commissioner Aurand moved that the payroll in the amount of \$18,464.78 and claims as listed be allowed:

Payroll &
Warrants

A T & T, \$50.49
N. C. Anderson, \$156.00
Badger Uniforms, \$63.20
Beauchem Alarm Company, \$158.80
Beling Consultants, \$700.00
Bob's TV & Appliance, \$39.00
Commonwealth Edison, \$6,664.73
Hometown Newspaper, \$9.35
Landis Realty, \$50.00
Moehle, Smith & Nieman, \$915.40
Morton International Morton Salt, \$3,563.28
Motorola, Inc., \$35.75
Municipal Treasurers Association of the U. S. and Canada, \$88.00
Northern Illinois Gas Company, \$997.13
J. H. Patterson Company, \$49.35
Pineway Super Market, \$48.51
R & T Specialty, Inc., \$37.61
Frank G. Svoboda, \$53.30
Utility Supply of America, \$21.31
WaterPro, \$66.00
Mechanical Incorporated, \$15,550.90
The Sidwell Company, \$23.55
B. C. Energy & Service Company, \$926.41
Seconded by John Priller.

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

Commissioner Aurand moved that the firm of Lindren, Callihan, Van Osdol & Company, Certified Public Accountants, be retained to audit the City's accounts for the year ending April 30, 1993. He further moved that the firm be paid an amount not to exceed \$7,230.00 for the performance and upon completion of the audit.
Seconded by Gerald Medlar.

Retain Auditor

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

Mayor Barnes moved that Ordinance #1036, amending Chapter 10, Article IV, Inoperable Motor Vehicles, be passed.
Seconded by Robert Aurand.

Ordinance
No. 1036

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

Mayor Barnes advised a raffle license has been issued to St. Mary's Church.

Raffle License

Bernie Klingenberg of Willett, Hofmann & Associates, explained the Grant Application process to the Council. If the City gets a grant, it will be used for a well and water storage tank on the east side of the river. It is necessary to take a survey of the residents in the area which the project would serve. Mayor Barnes, Commissioners Aurand and Svoboda will do the survey. The application must be in by July 1st. At least 51% of the people benefiting must be low to moderate income. The City has to fund 25% of the project. The engineering fee is approximately \$3,500.00 if the City gets the grant.

Grant
Application

Attorney Smith advised that the City got title to the depot property several months ago and one of the things the railroad said was that they would not pay for any title evidence and the City would pay for the title update. At the time the title work came back it showed that there was a question about the legal description used back in 1871, in regard to whether that legal description does in fact encompass the actual depot property.

Depot Property

There was another depot, according to the courthouse records, that burned down and this depot was not built on the same place and so it's possible that this description was for the early depot property and no one bothered to update the description when they built the new depot. The railroad has been in title, either the Burlington Northern or all of its predecessors back to the Chicago & Iowa Railroad for 122 years. Normally to clear up a problem like that, you can have the present owners sign an affidavit of adverse possession.

The affidavit states that between my ownership and the previous people who have owned that same property, there has never been a title problem. No one has ever come forward and expressed any ownership interest in this property and that we have paid taxes for the past seven years and we have been in possession of the property for at least twenty years. Attorney Smith sent this to the Burlington Northern and on February 8, 1993 Smith received a letter from Burlington stating that they would not sign the affidavit. Smith called the contact person with Burlington and he stated they were just not signing affidavits anymore. The railroad does not have a real estate department anymore. The title company said that the City could sign this affidavit, since the City knows that that has been a depot for at least over 100 years. The title company said that if something is put in the official minutes of the meeting, authorizing the City to sign this affidavit, then the title company will accept it and they will issue the title insurance policy.

Commissioner Svoboda moved to authorize the Mayor to sign the affidavit of adverse possession for the depot.
Seconded by Gerald Medlar.

Depot
Affidavit

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

Attorney Smith advised that according to Mike Long's appraisal of Collins Street, the west half of the extension of Collins Street is shown assessed to the State of Illinois. It appears to have some value so the City cannot just vacate it. The State came to the City at one time and wanted that property. Smith will order the title commitment and notify Guzman and the State, who are interest in the property. The City will advertise for bids.

Collins Street

Commissioner Svoboda would like to advertise for bids at the next meeting for the retention pond.

Reports

Chief Miller distributed a letter to the Council from Detective Minnis in regard to a safety problem at Jefferson & Seventh Street. He would like a four way stop at that location for children's safety. Priller advised you have to have a traffic count of 200 cars per hour at the intersection to put up a stop sign.

Rev. Cox of the Church of Nazarine, requests that the City do something about the sidewalk on Ninth Street from the alley to Washington Street to eliminate the water problem. They also have a mud problem in the terrace area on Ninth Street. Priller will check on this.

Jeff Lilly asked if the Council had decided anything in regard to his letter about the rentention pond and fence. Mayor Barnes advised not yet but the City will work with the Lillys.

Commissioner Aurand moved to go into Executive Session to discuss matters which relate solely to the exercise by the mayor and the commissioners of their executive or administrative responsibilities.
Seconded by John Priller.

Executive
Session

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

(Minutes of Executive Session Under Separate File)

Commissioner Aurand moved to reconvene to regular session.
Seconded by Frank Svoboda.

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

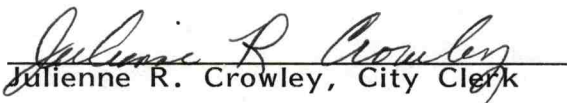
Commissioner Aurand moved that the meeting be adjourned.
Seconded by Gerald Medlar.

Adjournment

Roll Call: Ayes: Aurand, Medlar, Priller, Svoboda, Barnes. No nays.

Adjourn: 6:50 P.M.

ATTEST:


Julianne R. Crowley, City Clerk


James L. Barnes, Mayor